

UPDATES TO INTERPRETATIVE GUIDE UNLICENSED REGISTERED MINISTRIES

The Interpretive Guidelines are intended to clarify compliance expectations for child care providers and for BCC staff. Items in this document **are highlighted** because they have been updated in the Unlicensed Registered Child Care Ministry Interpretive Guidelines. Changes below are listed in page number order. All changes have been inserted into the full Unlicensed Registered Child Care Ministry Interpretive Guidelines document posted on this website.

UPDATE #1 – Page 1

- Last is the ‘threshold of compliance’; this provides licensing staff guidance on determining whether or not a rule should be cited as non-compliant. **The ministry must receive a score of 70% or greater to pass the inspection. Facilities receiving a score less than 70% will be considered as “non-compliant,” be given a plan for improvement and will be re-inspected. The symbol ▲ is used to indicate the threshold of compliance.**

UPDATE #2 – Page 4

■ 470 IAC 3-4.5-2 Registration

♦ Intent:

Accepted documents from the IRS include:

- IRS letter confirming the **facility’s** tax exempt status as a church **and the completion of an “addendum,”**

UPDATE #3 – Page 6

- #### ■ (5) a change in the location within the building where day care is provided;

♦ Intent:

To ensure that the Division and DHS shall be contacted and alerted to any room change where child care is being provided.

To clarify that (1) an initial inspection shall be performed, of the room(s) addition, by the Division and (2) Department of Homeland Security (DHS), Fire and Building Safety Division [formerly known as State Fire Marshall (SFM)] shall also be notified of room changes prior to the change.

UPDATE #4 – Page 7

■ 470 IAC 3-4.5-3 Water supply, plumbing and sewage disposal

♦ Intent:

To ensure safe drinking water is provided and plumbing equipment is installed correctly **and maintained.**

○ Assessment Method:

Check for unsealed cracks/**leaks** in pipes, plumbing and **duets** and other openings at **addition check for openings at** pipe/wall interface.

UPDATE #5 Page 8-9

This rule also intends to prevent the spread of infectious disease by proper sanitizing/disinfecting of specified areas and equipment in the Ministry. **ISDH infection control standards and** Caring for Our Children recommends either a self-made solution consisting of ¼ cup of household bleach to each gallon of water (1 tablespoon per quart) or a commercially prepared disinfectant which indicates it kills bacteria, **hepatitis, tuberculosis, other** viruses, and parasites, and shall be used in accordance with label instructions. The ministry should consult with a health consultant or the Division to determine the most appropriate sanitizing solution and procedures for routine disinfecting/sanitizing.

o Assessment Method:

- Observe that all areas of the ministry are clean, in good repair and free from any hazard or danger to health and safety.
- Ask Director and staff about procedure for washing and sanitizing and the procedure for preparing disinfectant solution and implementation on a regular basis.
- Observe the ministry for cleanliness and sanitizing practices.
- **Check concentration of sanitizing/disinfectant solution on a random basis.**
- **Check solution container labeling**
- **Check the proper use of the sanitizing/disinfectant test strips by ministry staff**

▲ Threshold of Compliance:

- The ministry is in compliance if there is evidence that the requirements are being met and the ministry looks clean, sanitary and in good repair.
- **Children have no access to materials labeled “Keep out of reach of children”.**

Checklist # 11. PLAYGROUNDS a., b.

♦ Intent:

To protect their health and safety, children shall have access to a safe outdoor playground with equipment that should meet the guidelines of the Consumer Product Safety Commission’s current “Handbook for Public Playground Safety.”

~~**Consultants and inspectors will use these guidelines to determine compliance with the above rules.**~~

- Playground equipment shall be properly installed, be sturdy, have no broken parts, closed S hook.
- Playground equipment shall be properly maintained and frequently inspected by ministry staff to ensure compliance at all times. The ministry shall repair or discard broken equipment. Sand shall be covered when not in use to protect it from contamination by animals and/or raked prior to use.
- Fencing, if used, shall be sturdy, free of sharp edges, secure and maintained in good repair. When fences are used, they should be at least 4 feet high and of material such as chain link, wood fences with smooth finish and with openings that will not permit children to climb through or other materials approved by the Division. Equipment shall be located a

safety distance from the fence; distance will vary according to the size and type of equipment.

- Natural barriers shall be free of hazards such as poisonous plants, **dead over-hanging tree limbs, and** thorns, and shall be dense enough to protect children from wandering out of the play **area**.
- Playground areas and equipment shall be well-drained to ensure insect control and prevent the spread of disease.

UPDATE #6 – Page 9

Checklist # 11. PLAYGROUNDS c., d.

♦ Intent:

To ensure that children are not exposed to health and safety risks when involved in swimming.

To prevent accidental drowning and illness or infections that result from poor sanitary practices. Swimming and wading pools are a frequent cause of childhood injuries and deaths. Constant, intensive supervision is necessary for children in the pool; therefore a caregiver can not also supervise children who are not in the pool. When not in use all pools must be absolutely inaccessible to the children. According to State Department of Health rules, wading pools without a filter **and circulating water** are not permitted in child care.

UPDATE #7 – Page 10

Checklist # 3. FACILITY h.

♦ Intent:

To protect the children from harm and from the spread of illnesses that can be transmitted by animals, animals must be properly handled. .

- If animals are allowed in the ministry, they shall be kept clean **and in cages with screening that prohibit child access and/or appropriate containers**.
- Pets kept by the ministry shall be free from diseases with potential for transmission to humans.
- Animals must be fully vaccinated in accordance with state law.
- **Ensure that unless housed in a closed container and inaccessible to a child, the following are not present in the child care area at any time:**
 - (1) Ferrets.
 - (2) Turtles.
 - (3) Iguanas.
 - (4) Lizards.
 - (5) Amphibians other reptiles.
 - (6) Psittacine birds (birds of the parrot family).
 - (7) Other animals that are capable of transmitting diseases to humans
- **No animals are present in food areas during the preparation and serving of food.**
- **Animal litter boxes are not located in areas accessible to the children.**
- **All animal litter is:**

1. removed immediately from inside and outside areas accessible to the children; and
2. discarded

UPDATE #8 – Page 11

Checklist # II Infant/Toddler 1. a., c.

♦ Intent:

Placing infants to sleep on their backs instead of their stomachs has been associated with dramatic decrease in deaths from Sudden Infant Death Syndrome (SIDS). Infants have been found dead on their stomachs with their faces, noses and mouths covered by soft bedding, such as pillows, quilts, comforters and sheepskins. However, some infants have been found dead with their heads covered by soft bedding even while sleeping on their backs.

- Caregivers shall place infants on their backs or sides in their cribs for sleeping.
- **There shall be no items placed over the child's head covering the child's face.**

Note:

Parents may not request a waiver for this **requirement** unless there is a documented medical reason signed by a physician. When infants turn over on their own, it is permissible to leave them on their stomachs rather than awakening them, however all infants shall be placed on back or sides when placed in the crib.

UPDATE #9 – Page 11-12

- (2) All restrooms shall be equipped with flush toilets and handwashing sinks and shall be ventilated to the outside. An adequate supply of water, under pressure, shall be provided at all handwashing sinks, as well as soap and disposable paper towels **in a dispensers, and/or electric hand dryers, with a temperature not exceeding 120° F.** Toilet paper in dispensers shall be located at each toilet.

UPDATE #10 – Page 12

Checklist # 5. BATHROOMS d. & g.

♦ Intent:

To facilitate the maintenance of personal cleanliness in the interest of preventing the spread of disease causing organism:

- Each hand washing sink must have an adequate supply of water, under pressure.
- It is important to have toilet paper in dispensers at each toilet, soap at each handwashing sink, and disposable towels in dispensers for the hand washing sinks.
- Shared access to disposable towels at more than one sink is acceptable if the location of these is fully accessible to each child.
- **The use of "portable sinks" is prohibited.**

○ Assessment Method:

- Check water at each sink.

- Check for soap, toilet paper and disposable towels/~~electric~~ **hand dryers** available to children in the bathrooms. If liquid soap dispensers are used, they must be easy to operate by the children.
- Soap bars must be clean and stored in a sanitary manner.

UPDATE #11 – Page 13

Checklist # 3. FACILITY f.

○ Assessment Method:

- Check for approved drinking fountains, water coolers and single service cups.
- Check for location of water fountains and/or coolers.
- Check for cleanliness of the drinking water facilities.
- **Check for height of water stream-must extend at least 1 inch from top of drinking fountain mouth guard**
- Drinking water shall not be supplied from a sink in a toilet room **or from a diapering hand washing sink.**

UPDATE #12 – Page 14

Checklist # 7. FOOD SAFETY/SERVICE mm.

○ Assessment Method:

Ask Director and food service staff about procedures to ensure that kitchen is not used for other purposes as specified. Observe that this area **is not used by children and has lockable doors, gates or other means to prevent** children and others from entering the kitchen.

Checklist # 7. FOOD SAFETY/SERVICE q., dd., hh., nn.

◆ Intent:

To protect health, the kitchen shall be maintained in a clean and sanitary condition:

- Floors shall be covered with tile or linoleum – no carpet. The floor must be cleanable and in good repair.
- Walls should be covered with a cleanable material – no wallpaper ~~of or~~-contact paper. Counter surfaces shall have no cracks, open spaces or open seams.
- ~~Wooden butcher-block~~ **All** counters must be sealed.
- Wooden cutting board or wooden utensils are permitted if in good repair.
- ~~Plastic or rubberized~~ **All** cutting boards must be in good repair.

UPDATE #12 – Page 15-16

Checklist # 8. VENDING a - e.

◆ Intent:

To ensure that the ministry provides safe food to children in care, the food service operation must meet the applicable rules for food establishments from local health authorities. The rule also intends to ensure that if the ministry receives food from a

vendor, the vendor shall be approved by local authorities and the ministry should have a written contract outlining the vendor's responsibility.

- **It is important that food be received in its original, unopened, undamaged packaging and protected from potential contamination.**
- Hot foods ~~should~~ **shall** be maintained at temperatures of 135 degrees F. or above and cold foods ~~should~~ **shall** be maintained at temperatures of 41 degrees F. or below at all times.
- To prevent food contamination, the food shall be checked with a working food-grade, metal probe thermometer to accurately determine if the foods are safe for consumption. The ministry ~~should~~ **shall** record food temperatures ~~in a log book~~ to document a pattern of temperature control and spot shifts toward unsafe levels. The record of potentially hazardous temperatures should be maintained for 1 year.
- The transport containers with food shall be insulated, washable and capable of maintaining the appropriate food temperatures.

○ Assessment Method:

- Ask Director about vendor food service and procedures for monitoring the condition of the food upon arrival.
- ~~Check the file for a written contract between the ministry and the vendor with responsibilities clearly outlined.~~
- Check the log of temperatures and especially record of potentially hazardous temperatures. ~~check that the log is maintained for 1 year.~~

Checklist # 7. FOOD SAFETY/SERVICE j., k., l.

◆ Intent:

This rule also intends to ensure that all food prepared and served to children in the ministry is safe for human consumption and free from spoilage, filth and other contamination. Regardless of who provides the food, this rule is intended to help prevent food born illness by requiring wholesome food from approved sources. By labeling and dating food, the food service staff can rotate the oldest foods to be used next and discard foods that have gone beyond safe storage times.

- All food shall be clean, wholesome, free from spoilage and adulteration, correctly labeled and safe.
- Home canned foods are prohibited due to the danger of botulism and other spoilage.
- All ~~prepared~~ foods shall be **stored, prepared, served, and discarded promptly or discarded properly in accordance with Indiana Restaurant Sanitation code 410 IAC 7-24.**

UPDATE #12 – Page 16

Checklist # 7. FOOD SAFETY/SERVICE i., r., s.,jj.

◆ Intent:

To ensure proper storage of food requiring refrigeration. **Calibrated** thermometers to measure the temperature of both the refrigerator(s) and freezer(s) shall be placed in all compartments to ensure maintenance of the proper temperature. There shall be sufficient refrigerator space for proper storage of perishable foods ~~in lunches~~ which are potentially

hazardous such as meats, cheese, fish, poultry, dairy products, eggs, potato or other salads, foods that require reheating, i.e., spaghetti, meat dishes, etc.

- All foods, including individual foods brought from home, will be maintained at the proper temperature.
- (2) There shall be a working **calibrated** thermometer in each compartment of all refrigerators to maintain a proper temperature of 41 degrees F. or less.
- (3) There shall be a **accurate calibrated** thermometer in each compartment of all freezer(s), positioned for ease in daily monitoring, to keep food properly frozen.

UPDATE #16 – Page 17

Checklist # 7. FOOD SAFETY/SERVICE ii.

♦ Intent:

If meals are prepared at the ministry, ~~there shall be enough ranges,~~ **equipment must be** maintained in good working condition, clean and safe. This rule is intended to ensure that hot food is maintained at the required temperatures of 135° F. or above during storage. ~~All commercial gas ranges—shall be mechanically vented and fumes filtered prior to discharge to the outside.~~

- All vents and filters shall be maintained free of grease build-up and food spatters and in good repair.
- Ranges shall be kept clean, safe and in good operating condition.
- If microwave ovens are used, they shall be inaccessible to pre-school children.
~~Any microwave oven in use should be manufactured after October 1971 and shall be in good repair.~~

○ Assessment Method:

If food is prepared, check kitchen for sufficient, clean ranges in good working condition. Check for proper, clean range vents, **and exhaust hood overheads.**

UPDATE #17 – Page 19

Checklist # II INFANT/TODDLER 2. BOTTLES/FOOD SAFETY a - b.

○ Assessment Method:

- Ask Director and infant staff about procedures for sterilizing bottles.
- Observe bottle cleaning and sterilizing or sanitizing ~~and check for non-hand washing sink used for cleaning bottles.~~
- Check for proper storage of each item in separate, clean, covered and labeled containers.

UPDATE #18 – Page 22

- Separate sleeping reduces the spread of disease from one child to another.
- Check the construction of cribs according to safety standards. It may be necessary to take measurements to determine compliance for some conditions, e.g., **no more than 2 3/8”** distance between slats, height of rails, test latches for safety and sturdiness, and size and thickness of mattress, **and mattress spaced no more than 1” from sides of crib.**

Checklist # II. INFANT/TODDLER 1. ROOM OBSERVATION c.

♦ Intent:

To ensure that cots and cribs are kept clean and in good repair to prevent the spread of germs and protect the safety and health of the children.

- **Each infant must sleep in his/her own approved crib.**
- **Children less than 30" tall may sleep in an approved "portable" crib.**
- **Children 30" to 36" tall may sleep in an approved "full" size crib.**
- **Children greater than 36" tall must be placed on an approved cot.**
- Cots and cribs used by different children must be sanitized daily between each use.
- Cots and cribs clearly assigned to and used by the same children each day may be sanitized weekly unless there is evidence of ~~spoilage~~ soilage.
- **Mesh and/or wicker cribs/playpens are not allowed.**
- **"Stackable type" cribs are not allowed.**
- **All children who "lay down" must do so on an approved crib/cot.**
- Cots should be properly spaced on all sides to prevent the spread of germs unless they touch a wall or room divider.
- For the children's safety cots and cribs must not obstruct aisles or exits while children are using them.
- Mats are not permitted for children to lie on.

○ Assessment Method:

- Observe that each child is supplied with a cot appropriate to his/her age.
- Ask Director and staff about schedule for cleaning and sanitizing cots and cribs and procedures for ensuring cleaning between uses for shared cots and cribs.
- Observe that cots assigned to individual children are marked with the child's name or other identifying mark.
- Observe cots for cleanliness, ~~proper spacing between cots~~ and that cots do not obstruct aisles or exits.
- Observe the storage of cots to be sure they are not being stacked in a way that the sleeping surfaces touch.

Checklist # II. INFANT/TODDLER 1. ROOM OBSERVATION b.

♦ Intent:

To ensure that children are provided clean, individually assigned linens and coverings which are seasonably appropriate to keep the child warm.

- The ministry ~~shall~~ **should** have extra clean blankets available for use as needed.
- The covers shall be cleaned weekly or when dirty and between uses by different children to prevent the spread of infection.

UPDATE # 19 - Page 23

- To prevent smothering, children's faces and heads shall not be covered by the blanket.

○ Assessment Method:

- Observe that each child is provided with his/her own linens and covers, such as blankets and sheets ~~that are appropriate to the season.~~
- ~~Observe that covers are marked with the child's name.~~

- ~~Observe the extra supply of blankets and other covers. Ask the Director and staff about this.~~
- Observe covers for cleanliness. ~~Ask staff about laundering and cleaning procedures.~~
- Observe napping children's faces and heads to be sure they are not covered

UPDATE #20 - Page 25

Checklist # 4. DIAPERING a. – e.

♦ Intent:

To ensure a specific diaper changing area that is clean and sanitized after each use. This rule is intended to protect the health of the children through limiting the existence of disease causing organisms which may be spread during the diaper changing procedure. Cribs can be used ~~if there is a hand washing sink accessible to the provider for diaper changing if done in a sanitary manner.~~ The rule intends to ensure that diaper changing is done in a way that helps control the spread of bacteria and germs. The rule is also intended to ensure that the diaper changing table shall have an easily cleanable surface.

- Wicker/mesh, lattice, or cloth material are not cleanable surfaces.
- Materials used for skin cleansing during diapering must be discarded in a tightly covered, sanitizable container.
- Staff ~~doing the diaper changing~~ shall wash their hands after each diaper change.
- Sanitizing of the diaper changing surface may be done daily if a water **proof barrier between the child and diaper pad is utilized**; any deviation must be approved through BCC. Licensees will be given directions for the most common type, then directed to contact BCC for different products.
- A resistant barrier shall be placed between the surface and the infant's bottom and all body fluids are contained on the barrier.
- The diapering process cannot be done on the floor.
- The rule permits infants to be diapered in their cribs if they cannot pull up as long as sanitary practices are used as in (7).
- Diapering in a crib must be done on a sanitizable surface (approved diaper pad or change crib sheet after each diaper change).

○ Assessment Method:

- Check the diaper changing area to ensure that it meets the conditions as specified.
- If possible, observe the changing of a child or children to ensure procedure is carried out.
- If diaper changing is not being performed, ask staff about diaper changing practice.
- Observe staff hand washing ~~before and~~ after each diaper change.
- Observe infants being diapered in their cribs.
- Ask Director and staff about sanitizing solution.

UPDATE #21 - Page 26

Checklist # 10. RECORDS c.

♦ Intent:

To protect children from an employee or volunteer in the unlicensed registered child care ministry who presents risk due to his/her criminal activity. The statute compels the facility to conduct and maintain a check for all of its employees and volunteers.

- A ~~limited~~-statewide criminal history check shall be conducted on all persons providing child care at an unlicensed registered child care ministry, regardless of age.
- State of residency criminal history checks are documented on all persons, if residency is in another state.
- Records of each criminal history check, including a criminal history check on the person signing the application, shall be maintained at the facility and shall be available to the Division, for review, during all hours of operation for the child care ministry.
- The law prohibits persons with certain criminal ~~histories~~ **history convictions** from caring for children in an unlicensed registered child care ministry.
- The law prohibits persons with substantiated child abuse/neglect from caring for children in an unlicensed registered child care ministry.